



Honorable Linda B. Riegler  
United States Bankruptcy Judge



Entered on Docket  
February 17, 2012

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

CHAPTER 11

**STIPULATED ORDER APPROVING  
STIPULATED MOTION TO ALLOW  
IN PART PROOF OF CLAIM FILED  
BY DONALD PINSKER AND  
VACATING STATUS CONFERENCE**

The Stipulated Motion to Allow In Part Proof of Claim Filed by Donald Pinsker [DE 9715] came before the Court for consideration. No notice being necessary, and good cause appearing,

IT IS ORDERED:

- As to Proof of Claim 10725-02423, ("POC 2423"), Mr. Pinsker shall have an allowed non-priority unsecured claim equal to 15% of the unresolved claim amount.

Thus, POC 2423 is hereby deemed allowed in the amount of **\$43,010.00**. This figure is arrived at as follows:

<u>Loan Name</u>	<u>Unresolved Claim Amount</u>
Bay Pompano Beach	\$46,000
Arapahoe Land Investments (Clear Creek)	\$75,000
Fiesta USA/Stoneridge	\$17,000
6425 Gess	\$50,000
Bundy Canyon (\$2.5 Million)	\$75,000
SVRB \$4,500,000	<u>\$23,734</u>
Total Unresolved Claim Amount	286,734.00

Allowed Claim Amount (15% of Total Unresolved Claim Amount): **\$43,010.00**

- This order does not affect other portions of the claim that the Court previously allowed in relation to the Bundy Canyon (\$2.5 Million) Loan; Oak Shores II Loan; Amesbury Hatters Point Loan and/or any allowed claims related to unremitted principal.
- The USACM Trust shall be authorized to make an interim distribution of 4.92% to Mr. Pinsker as his *pro rata* share of the funds reserved by the USACM Trust from the initial creditor distribution on the allowed portion of \$43,010.00. The distribution amount will be \$2,116.09.
- This Order does not affect Mr. Pinsker's right to repayment from the borrowers to whom he loaned money as a direct lender or to recover from the collateral securing the loans in which he invested; and
- This Order supersedes any prior orders of the Court to the extent those orders could be deemed to conflict with this order.
- Any continued hearing scheduled on this matter are hereby vacated.

1 Submitted by:

2 LEWIS AND ROCA LLP

3  
4 By/s/John Hinderaker (AZ 18024)

Robert M. Charles, Jr., NV 6593

5 John Hinderaker, AZ 18024 (*pro hac vice*)

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8 APPROVED AS TO FORM AND CONTENT:

9 DONALD H. PINSKER

10  
11 By /s/ Donald H. Pinsker

Donald H. Pinsker

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Attorneys for the USACM Liquidating Trust

APPROVED AS TO FORM AND CONTENT:

DONALD H. PINSKER

A handwritten signature in black ink, appearing to read "Donald H. Pinsker", written over a horizontal line.

By /s/ Donald H. Pinsker  
Donald H. Pinsker  
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Las Vegas, Nevada 89149